

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SOMRAJ SINGH, *et al.*,

No. C-13-4958 EMC

Plaintiffs,

v.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

ERIC H. HOLDER, JR., *et al.*,

**(Docket No. 11)**

Defendants.

---

Previously, Judge Spero granted Plaintiffs' application to proceed in forma pauperis. *See* Docket No. 10 (order). Judge Spero then reviewed Plaintiff's petition pursuant to 28 U.S.C. § 1915 and prepared a report recommending that this Court order service of the complaint on Defendants because, although there was one deficiency in the complaint, "[i]n all other respects," the complaint was sufficient to survive § 1915 review. Docket No. 11 (R&R at 14). In a footnote, however, Judge Spero noted that service by the U.S. Marshal might be unnecessary as Plaintiffs were making efforts to effect service on Defendants.<sup>1</sup> *See* Docket No. 11 (R&R at 14 n.2).

///

///

///

///

///


---

<sup>1</sup> After the filing of the report and recommendation, Plaintiffs filed an amended petition.

1 No party filed an objection to the report and recommendation. Having reviewed the report  
2 and recommendation, as well as all other evidence, the Court hereby adopts it. However, service by  
3 the Marshal is now a moot point because Plaintiffs have served Defendants, *see* Docket No. 18 (in  
4 motion filed by government, conceding service on November 25, 2013), and Defendants have now  
5 appeared in this action.

6  
7 IT IS SO ORDERED.

8  
9 Dated: January 10, 2014

10  
11   
12 \_\_\_\_\_  
13 EDWARD M. CHEN  
14 United States District Judge  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28